

16348
Patent US 515
Attorney Docket 612,406-026
[formerly Docket 271/149]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

WAGNER et al.

Serial No.: 09/868,824

Filed: September 18, 2001

For: **TEST SYSTEM FOR DETECTING
DIFFERENT MARKERS, AND
PRODUCTION AND USE THEREOF**

Group Art Unit: 1634

Examiner: J. Fredman

TRANSMITTAL LETTER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

1. This is a petition for an extension of time under 37 C.F.R. §1.136(a) for a total period of three months to respond to the Office Action mailed August 13, 2004, in the above patent application.

2. An Amendment and Response in connection with the matter for which this extension is requested is filed herewith.

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CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

February 13, 2004
Date of Deposit

Cynthia B. Pacheco
Cynthia B. Pacheco

3. Fees for claims:

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

Claims	No. Previously Paid For	Claims Remaining	No. to be Paid For	Large Entity Fee	Additional Fee Due
Total	56	- 56 =	0 x	\$18.00	\$0.00
Independent	2	- 2 =	0 x	\$84.00	\$0.00
Multiple Dependent	0	(if applicable) <input type="checkbox"/>		\$260.00	\$0.00
TOTAL OF ABOVE CALCULATIONS					\$0.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.					\$0.00
TOTAL FEES FOR CLAIMS SUBMITTED HERewith					\$0.00

4. The fee for the three-month extension of time for a large entity under 37 C.F.R.

§§1.17(a)(3) is \$950.00. The Commissioner is hereby authorized to charge \$ 950.00 to Deposit Account No. 50-2862 for the above fee(s). A duplicate copy of this document has been enclosed for processing purposes.

5. If an additional extension of time is required, please consider this a petition therefor.

The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 50-0639.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: February 13, 2004

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DKW/cp
Enclosures
IR1:1052406.1

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PATENT TRADEMARK OFFICE

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Patent US 515
Attorney Docket: 612,406-026
(former L&L Ref: 271/149)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Thomas Wagner, et al.

Serial No.: 09/868,824

Filed: September 18, 2001

**For: TEST SYSTEM FOR DETECTING
DIFFERENT MARKERS, AND
PRODUCTION AND USE THEREOF**

Group Art Unit: 1637

Examiner: J. Fredman

AMENDMENT AND RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 14, 2003, please amend the above-referenced application as follows.

Amendments to the Claims begin on page 2 of this paper.

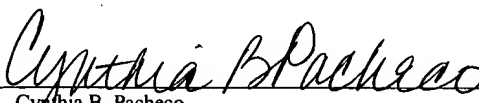
Remarks begin on page 16 of this paper.

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February 13, 2004

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Cynthia B. Pacheco